

LYNDON CITY COUNCIL
ADJOURNED MEETING MINUTES OF
MAY 17, 2010

The Lyndon City Council met in adjourned session on Monday, May 17, 2010, 7:30 p.m., at City Hall.

Members Present: Kay Jones, Wayne Howard, Bill Patterson, Brandon Smith,
Doug Watson, Mayor Jeff Bronson,
City Administrator Larry Thurston and City Clerk Barbara Schattak

Absent: City Attorney, Pat Walsh

Others Present: Darby Kneisler
Wayne Walquist, Jim Snyder, Don Hook, RWD #1
Darrel Manning, Chief of Police
Dave Wilson, Maintenance Superintendent
Wayne White, Osage County News-Herald

Mayor Jeff Bronson called the meeting to order. A motion was made by Patterson to approve the May 3, 2010 regular meeting minutes as amended. Jones seconded the motion, which carried.

PUBLIC COMMENTS: Darby Kneisler, 1225 Adams, reported his family is planning on replacing his existing home with a 52 foot long home and an attached garage. Darby stated where his property pins are located would put him close to his south neighbors. To stay within setbacks on the south side he requested to place his house north of his north property pins. It was noted 13th Street is on the north portion of the street easement. Darby questioned if an easement could be granted permitting him access to build on the land. After some discussion, the Council stated they would need to get a legal opinion and asked Larry to give the information to the City Attorney. The matter was tabled.

RWD #1 – Members of RWD #1 asked the City again for an answer regarding taking over their line. If the City would take over the line the City would also receive \$6500 in funds less any legal fees; the patrons would accept the rates as they are and each house would receive a water bill. It was noted all of the meters have been placed in the fence row except for two. After some discussion, a motion was made by Howard to have Pat enter into an agreement to take over the water line and the district give the City an easement with each house receiving the \$25 minimum plus any additional for water. Patterson seconded the motion, which was not approved.⁹

After further discussion, a motion was made by Smith to negotiate an agreement with RWD #1 and have both attorneys draw up the agreement. Howard seconded the motion, which carried.

TIGER RIDGE DE-ANNEXATION: Discussed the de-annexation request from the owners of the subdivision. After some discussion, a motion was made by Watson to deny the request for de-annexation. Howard seconded the motion, which carried.

FIREWORKS: City Clerk Barb Schattak presented Ordinance No. 766 establishing certain days and hours during which the discharge and sale of certain fireworks shall be permitted within the City of Lyndon, Kansas. After some discussion, a motion was made by Patterson to approve Ordinance No. 766 and have Mayor Bronson sign on behalf of the City. Jones seconded the motion, which carried.

TOURISM GUIDE: Council discussed the different options for an ad in the tourism guide for the City and to assist in the printing cost. After some discussion, a motion was made by Watson for the City to have a half page ad at a cost of \$355 and to pay \$200 towards the printing cost. Jones seconded the motion, which carried.

WEBSITE: City Clerk Barb Schattak presented the contract from Holy Fish for the new city website. It was noted the start date of the contract should be changed and a statement needs to be included stating the City would have ownership of the logo after completion. After some discussion, a motion was made by Watson, to approve the contract after the above revisions were made and have Mayor Bronson sign the contract on behalf of the City. Patterson seconded the motion, which carried.

MAYORAL APPOINTMENTS: At 8:43 a motion was made by Patterson to recess to executive session for twenty minutes to discuss personnel and have Darrel Manning attend. Jones seconded the motion, which carried. The governing body reconvened at 9:03 p.m.

A motion was made by Watson for Patterson to be Council President for 2010. Jones seconded the motion, which carried.

Mayor Bronson made the following appointments: City Clerk, Barbara Schattak; Deputy Clerks, Julie Stutzman and Carolyn Wilson; City Treasurer, Carolyn Wilson; City Attorney, Pat Walsh; Municipal Judge, Steve Jones; Municipal Court Clerk, Barbara Schattak; Local Freedom of Information Officer, Barbara Schattak; Maintenance Supervisor, Dave Wilson; Chief of Police, Darrel Manning; Nuisance Ord. 581-582 Enforcement Officer and Tall Grass/Weed Ord. 647 Enforcement Officer, Darrel Manning; Building Inspector/Zoning Administrator, Darrel Manning; Enforcement Officer for Ord. 587 - Unsafe Structures and Ord. 613 - Fire Damaged Structures, On-Call Engineer; Public Wholesale Water Supply District #12 representative, Russell Swanson; Official Depository, Lyndon State Bank and Official Newspaper, The Osage County Herald-Chronicle.

Council members were selected to standing committees with the first name serving as chairman, they are: Street and Alley, Patterson and Watson; Water, Sewer, and Trash, Smith and Jones; Police and Safety, Howard and Smith; Finance & Claims, Jones and Patterson; and Parks and Pool, Watson and Howard.

Due to board members either not renewing their terms or moving away, Position No. 1 on the Planning and Zoning Commission and Positions 5 and 6 on the Lyndon Tree Board remain vacant.

A motion was made by Watson to approve the Mayoral Appointments, with Positions No. 1 on the Planning & Zoning and Positions 5 & 6 on the Lyndon Tree Board remaining vacant until interest is shown. Patterson seconded the motion which carried.

POOL WAGES: Jones reminded the Council Pool Manager, Kayla Banzhaf, expressed an interest in the City paying the guards back their training fee and also asked for the salaries for lifeguards to be raised. After some discussion, a motion was made by Watson to increase lifeguard wages with first year guards receiving \$6.00 an hour, second year guards - \$6.25; third year guards - \$6.50, fourth year guards - \$6.75 and 5th year guards \$7.00. Guards will receive an additional 50 cents an hour if they obtain their WSI. Salaries will be capped at \$7.00 and \$7.50 with WSI. Patterson seconded the motion, which carried. It was the consensus of the council to not reimburse for lifeguard or water safety instructor training.

MICROCOM: Larry presented the extended service warranty for the controls on the water tower to measure water in the amount of \$1500; city staff recommended to not enter into the warranty. After some discussion, it was the consensus of the council to not respond to the notice.

CITY CLERK: Reported Susan Shaw from KTKA TV stopped by the office to announce a live feed of the evening news will be held on the courthouse lawn on June 16, 2010 at 6:00 p.m.; there will be food and drink for all who attend. Ms. Shaw also asked if the City would help sponsor the event for \$200, City Clerk Barb Schattak reported Larry authorized sponsoring the event.

Daphne Bailey, 911 Topeka, submitted fence permit application, the application was approved by Zoning Administrator, Larry Thurston and is on file at City Hall.

Tanya Trego, 304 West 6th, submitted fence permit application, the application was approved by Zoning Administrator, Larry Thurston and is on file at City Hall.

City Clerk Barb Schattak presented a corrected contract with the League of Kansas Municipalities to obtain a City Administrator. After some discussion, it was the consensus of the council to not enter into a contract with the League at this time. City Clerk Barb Schattak was asked to look in files for the ads for the City Administrator and the original job description; these items are to be e-mailed to council members.

Reported the Lions Club is working on getting new benches for the walking trail.

CITY ADMINISTRATOR: Larry gave each member a copy of his Administrator's Report, the monthly budget through April, an updated Police Activity Report and correspondence generated through his office.

Larry reported the materials for the manholes and the valve boxes have been ordered and will be installed as the street work is being done.

Smith questioned Larry regarding the No Guns signs; it was noted right now these signs keep honest citizens honest but there will need to be an ordinance in place to give the signs more teeth.

GOVERNING BODY COMMENTS: Howard reported he has the signs and banners to be put up advertising the Farmer's Market on the Courthouse lawn.

Watson asked about the work being done at the vacant lot by the Smoke Shak. Larry reported the resident working on the lot has received a permit with fees waived and also obtained permission from the landowner to make improvements.

Howard asked Patterson if he was going to get the murals painted in the store front windows as was previously discussed; Patterson reported the murals will not be done this year.

Mayor Bronson reported a new restroom facility is needed at City Park; after some discussion, it was the consensus, to have Dave get prices for a new facility which would be pre-fabricated to be placed on a concrete slab.

Mayor Bronson informed the council Mike Leuszler of LDL Investments stated there are some building trusses on their property the City could use for a shady area at the pool if it would fit.

At 10:15 p.m. a motion was made by Smith for adjournment to Monday, June 7, 2010, at 7:30 p.m. Patterson seconded the motion, which carried.

A handwritten signature in cursive script, reading "Barbara Schattak". The ink is dark and the signature is fluid, with a long, sweeping tail on the final letter.

Barbara Schattak
City Clerk